FARAD CONTINUATION SHEET.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

CRIMINAL APPLICATION No.1618/07.

1) Kisan Sadba Gaikwad
2) Shailendra Marotrao Mangrulkar
.vs.
State of Mah.

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the office of Sub-registrar, Narkhed and sale-deed was executed in favour of Jaishree Bele and Meena Bele in respect of the field owned by Annapurnabai. It is alleged that Annapurnabai died long ago and Smt.Premlata personated herself as Annapurnabai while executing sale-deed. It is further alleged that the said field was in possession of one Ratnabai Kokate. She was being dispossessed in respect of which she made a complaint to the Collector. The Collector had forwarded the complaint to the Police and accordingly offence has been registered upon the report of Smt.Kokate. The present applicants were the attesting witnesses to the sale-deed therefore they apprehend arrest.

4. The learned counsel for the applicants submitted that the present applicants had merely signed the sale-deed that was executed in favour of Jaishree Bele and Meena Bele. They had no role to play in the transaction. The learned counsel further submitted that they had signed the sale deed as attesting witnesses only because of the fact that they were shown photo identify card and on that basis they though that it must be the same lady. Since the applicants had merely signed the sale-deed as attesting witnesses, the custodial interrogation certainly not necessary. Their involvement does not appear to be intentional. In the circumstances I find

that this is a fit case where applicants are entitled to be released on anticipatory bail. Therefore, application is allowed.

In the event of arrest in crime No.40/2007 of Police Station, Jalalkheda, the applicants be released on their entering into personal recognizance bond in the sum of Rs.5000/- each with one surety each in the like amount.

They shall make themselves available as and when required by the police for the purpose of interrogation.

JUDGE

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